

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA	§	
Plaintiff-Appellee	§	
	§	
V	§	No. 1:23-CR-00135-RP-1
	§	Appeal No. 24-50982
SAINT JOVITE YOUNGBLOOD	§	
Defendant-Appellant	§	

SECOND MOTION TO WITHDRAW AS COUNSEL

TO THE HONORABLE JUDGE OF THIS COURT:

COMES NOW Alan Winograd, the attorney of record for Defendant-Appellant Saint Jovite Youngblood in the above styled and numbered cause and moves the Court to be allowed to withdraw as an attorney of record for Defendant-Appellant Saint Jovite Youngblood, and in support of this motion shows:

1. Youngblood was convicted of four counts of Wire Fraud and one count of Engaging in Monetary Transaction in Criminally Derived Property following a jury trial that concluded on April 23, 2024. (Dkt. 100). On December 4, 2024, Defendant was sentenced. (Dkt. 151). Defendant then filed a notice of appeal. (Dkt. 149). On December 11, 2024, the Court allowed Defendant's trial counsel to withdraw and ordered that Alan Winograd be appointed to represent Defendant during

his appeal. (Dkt. 153). After a video conference on December 18, 2024, Mr. Youngblood indicated to undersigned counsel that he did not have confidence in his ability to represent him and did not want undersigned counsel to represent him on appeal and Alan Winograd filed a motion to withdraw. (Dkt. 155). The motion was denied on January 2, 2025. (Dkt. 155). The record on appeal has been completed and Defendant-Appellant's brief and record excerpts are due for submission to the Fifth Circuit Court of Appeals on May 20, 2025.

2. On April 4, 2025, Youngblood filed a *pro se* motion requesting a change of attorney on appeal in which undersigned was notified on April 8, 2025. (Dkt. 182). Youngblood listed numerous reasons for the request as well as attacking the qualifications of appointed counsel and lack of confidence in his ability to represent him. Moreover, Youngblood has also questioned the qualifications and legal strategy of undersigned counsel in several combative emails sent by Youngblood to undersigned counsel which will be provided upon request by the trial court. In these messages, Youngblood raised several issues that he believed should be included in his brief. However, appointed counsel does not believe these claims or defenses are warranted under existing law and cannot be justified in good faith.

3. The above-described matters constitute a substantial, irreconcilable conflict or problem affecting undersigned counsel's ability

to represent defendant-appellant – a conflict of interest, a complete breakdown in communication and good cause for withdrawal and appointment of substitute counsel on appeal. *See United States v. Conlan*, 786 F.3d 380, 391 (5th Cir. 2015); *see also*, Tex. Disciplinary R. Prof. Conduct § 1.15 and 1.3.

4. Because of the increasing animosity expressed by Youngblood towards undersigned counsel and the strong disagreements regarding legal strategy, requiring the undersigned to remain on the case would adversely affect Defendant-Appellant's ability to defend his case.

WHEREFORE, undersigned counsel prays the Court grant this motion and order that he be released as counsel of record for the above-appointed Defendant.

Respectfully submitted,

S/Alan Winograd

Alan Winograd

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CERTIFICATE OF SERVICE

This is to certify that the foregoing *Motion to Withdraw as Attorney of Record* was served to all parties via electronic service on April 12, 2025, and to Defendant-Appellant's last known address:

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S/Alan Winograd
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